IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 19TH SEPTEMBER 2007 / 28TH BHADRA 1929

Bail Appl..No. 5608 of 2007()

CRMP.3370/2007 of J.M.F.C.,KUNNAMANGALAM
CRIME NO.9/2007 OF KOLAZHI EXCISE RANGE

.....

: PETITIONER/ACCUSED (UNDER CUSTODY)

KANNAN @ MANIKANDAN, S/O.KUMARAN,
KUNNATHULLY HOUSE, EDAKALATHOOR VILLAGE,
PONNURE DESOM, THRISSUR TALUK.

BY ADV. SRI.K.N.PADMAKUMAR

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REP.BY EXCISE INSPECTOR
KOLAZHI EXCISE RANGE, THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.5608 of 2007

Dated this the 19th day of September, 2007

ORDER

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. He was allegedly found to be in possession of 10 litres of arrack on 26.08.07. He was arrested and continues in custody from that date. The petitioner has two other cases under the Abkari Act, also registered against him earlier, submits the learned Public Prosecutor .

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigator is granted reasonable further time to complete the investigation and I am satisfied that bail can be granted to the petitioner subject to appropriate and strict conditions.

3. In the result, this application is allowed. The petitioner shall be released on bail on the following terms and conditions.

i) The petitioner shall not be released on the strength of this order prior to 29.09.2007. The Investigator shall in the meantime make every endeavour to complete the investigation.

ii) The petitioner shall execute a bond for Rs.50,000/- (Rupees Fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate;

iii) The petitioner shall make himself available for interrogation before the Investigating Officer from the date of his release between 10 a.m and 12 noon on all Mondays and Fridays for a period of 2 months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R.BASANT, JUDGE)

rtr/-